

# KEYSTONE

October 5, 1995

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Room 222, Mail Stop 1170  
1919 M Street, NW  
Washington, DC 20554

Re: IB Docket No. 95-117  
Notice of Proposed Rulemaking  
FCC 95-285

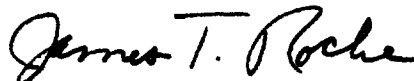
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Dear Mr. Caton:

Enclosed for submission to the Federal Communications Commission are an original and five copies of Keystone Communications Corporation's comments in the above-captioned proceeding. Also enclosed are an original and five copies of Keystone's "Motion for Acceptance of Late Filed Comments."

Please contact the undersigned counsel for Keystone if there are any questions.

Sincerely,



James T. Roche  
(202) 737-4440  
Ext. - 23

Enclosures

JR/rb

**Keystone Communications Corporation**  
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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of

Streamlining the Commission's  
Rules and Regulations for Satellite  
Application and Licensing Procedures

IB Docket No. 95-117

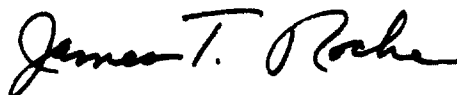
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MOTION TO ACCEPT LATE FILED COMMENTS OF  
KEYSTONE COMMUNICATIONS CORPORATION

Keystone Communications Corporation ("Keystone") hereby requests the Commission to accept its one-day late filed comments in the above-captioned proceeding. Due to the unavailability of certain necessary Keystone personnel on October 4, 1995 and the loss of a critical program, Keystone was unable to file its Comments on the due date, October 4, 1995. No parties in this proceeding will be harmed or otherwise prejudiced by the Commission's acceptance of Keystone's late filed Comments. The public interest will not be disserved in any way.

WHEREFORE, Keystone Communications Corporation requests the Commission to grant this Motion.

Respectfully submitted,



James T. Roche  
Regulatory Counsel  
Keystone Communications Corporation  
Suite 880  
400 N. Capital Street, NW  
Washington, DC 20001  
(202) 737-4440

October 5, 1995

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Streamlining the Commission's	)	IB Docket No. 95-117
Rules and Regulations for Satellite	)	
Application and Licensing Procedures	)	

COMMENTS OF  
KEYSTONE COMMUNICATIONS CORPORATION

Keystone Communications Corporation ("Keystone") hereby submits its Comments in partial support of adoption of the Commission's Notice of Proposed Rulemaking, FCC 95-285, released August 11, 1995 in the above-captioned proceeding ("NPRM"). Keystone supports the Commission's proposals to allow Part 25 service providers to operate without any unnecessary regulatory burdens or constraints and therefore to respond more quickly to their customers' needs (NPRM at para. 1). In addition, Keystone agrees with the Commission's goals to eliminate outdated and cumbersome regulatory requirements, decrease unnecessary paperwork for applicants, and increase licensing efficiency. However, Keystone offers the following comments which clarify some of the proposed rule changes.

Keystone Communications Corporation, headquartered in Salt Lake City, Utah, is one of the leading providers of domestic international video and audio program distribution services, utilizing Ku-band and C-band transmit/receive and receive-only

earth stations, and point-to-point microwave and fiber optic facilities. Keystones leases more than 10 international satellite transponders and 20 domestic satellite transponders in connection with earth stations in California, New Jersey, New York, Utah and the Washington, DC area.

A. Elimination of Application Requirements for Inclined Orbit Operations

The NPRM focuses on the fact that the Commission sees no reason to continue to require geostationary satellite licensees to apply for authority to operate in inclined orbits, in so far as interference has not proven to be a problem. The Commission proposes to permit a licensee to operate a satellite in an inclined orbit provided that the Commission is notified by letter within 30 days after the commencement of inclined orbit operation (NPRM at para. 15). In addition, the Commission believes that updated frequency coordinations may be necessary for C-band uplinking to a satellite in an inclined orbit (NPRM at para. 16).

Keystone supports the Commission's proposal that the application process is not necessary for inclined orbit operations, but does not agree with the 30-day notice after commencement of inclined orbit operation. Keystone suggests a 120-day prior notice which should be included in an appropriate Part 25 Public Notice. The 120-day prior to operation notice is needed by earth station operators to allow them sufficient time to

acquire and install necessary or desirable systems at their earth stations to track the inclined orbit satellites. Post commencement notice will cause significant problems for earth station operators.

The Commission states that interference has not proven to be a problem for inclined orbit satellite operations (NPRM at para. 15). Given this fact, Keystone does not believe that it is necessary that operators of C-band earth stations uplinking to satellites in inclined orbits be required to update their frequency coordinations. The initial frequency coordination that cleared the earth station for operations with geostationary satellites should be sufficient. Earth station operators should not be required to incur additional expenses because unrelated space station operators choose to extend the lives of their satellites by going to inclined orbit operations. Also, interference issues will surface during domestic use of ATIS.

**B. Increase the License Renewal Term for C-band Transportables to Ten Years**

Keystone supports the Commission's proposal to increase the license term for temporary fixed earth stations operating at 6/4 GHZ from one year to ten years (NPRM at para. 17). There have been few, if any, interference claims resulting from operations of C-band transportables. With this information in-hand, the Commission should be able to extend the license term as proposed herein.

Keystone questions the need for prior notice to the Commission's Columbia Operations Center. Provided the transportable earth station operator previously completed a formal frequency coordination, and has in operation the required ATIS equipment, the mechanisms are already in place to limit any interference and to promptly identify and notify the source of any interference to cease operation. The Commission should retain the policy of encouraging notice to the Commission but should not make it mandatory. The current policy of mandatory frequency coordination and voluntary notice to the Commission has worked well (NPRM at para. 18).

C. Elimination of Prior Authorization For Minor Earth Station Modifications

The Commission proposes to allow earth station licensees to notify the Commission by letter within 30 days after a minor modification is completed. Minor modifications are those that do not have the potential to increase interference to adjacent satellites (NPRM at para. 23).

Keystone believes that a clearer and more workable approach would be that no prior authorization is required except for the following:

- (1) an increase in EIRP or EIRP density;
- (2) an increase in transmitter power;
- (3) a greater than 1 second change in geographic coordinates for C-band facilities;

- (4) a 10 second or greater change in geographic coordinates for Ku-band facilities; or
- (5) a change or addition to antenna facilities.

All other related changes should be reported to the Commission and to earth station operator's frequency coordinator. This could include changes in regulatory status; i.e., licensees providing services either on a private basis or a common carrier bases could change regulatory status pursuant to the Commission's proposed post 30 day notification process. Keystone suggests that the Commission reduce or eliminate, all reporting and ensuing paperwork unrelated to the aforementioned specific subjects of concern to the Commission. This would ease the burden on earth station operators and the Commission staff.

D. Elimination of the Filing Requirement for Receive - Only Earth Stations

Proposed Rule 25.131 (NPRM, p. 26) should be revised to delete any license requirements for receive-only earth stations, domestic or international. The time has come for the Commission to eliminate the licensing requirements for international receive-only earth stations. Keystone urges the Commission to complete CC Docket No. 93-23, in which the Commission proposed the deregulation of all non-operationally connected international receive-only earth stations.

E. Clarification of Time Frame for Completion of Transfer of Control and/or Assignment of License

Keystone supports the Commission's proposed amendment of Rule 25.118 (NPRM, p. 24) to require that parties notify the Commission by letter, within 30 days of the consummation of a transfer or assignment, of the date of consummation (Section 25.119 (f)) (NPRM, p. 25). However, the time frame for completing the transfer or assignment should be established at one (1) year from the effective date of the Commission's authorization of the transfer or assignment. The Commission already uses a one year time frame for completion of construction of facilities.

F. Elimination of Bandwidth Limitation for Digital Carriers

The Commission proposes to eliminate the narrow bandwidth limitation for digital VSAT carriers and not to adopt a bandwidth limitation for narrow or wide bandwidth digital carriers (NPRM at para. 25). Keystone agrees that in light of the increasing demand to operate with wider bandwidths, there appears to be no reason for the Commission to continue to have bandwidth limitations for digital carriers.

While Keystone supports the Commission's proposed elimination of bandwidth limitations for digital carriers, it does not believe that the Commission should concern itself with power limitations. Power density limits should be left to space segment



providers to work out with their customers. This is an area for self regulation by the satellite industry.

G. Clarification of ATIS Requirement

The Commission proposes to remove Section 25.308 of its Rules and redesignate it as Section 25.281(NPRM, p. 32) . The Automatic Transmitter Identification System requirement should be clarified to reflect that it only applies to domestic satellite uplink transmissions. The same clarification is needed for Section 25.206 (see attached Public Notice, Ref. No.I-6569).

Keystone suggests that the satellite industry needs a universal identifier for compressed digital video transmissions. The functional equivalent of ATIS is needed to accomplish this effort. The station identifier could be included on the band edge of each carrier derived in the compression process, whether MCPC or SCPC. The identifier, like the current ATIS for analog FM transmissions, should be physically distinct from the myriad of emerging, non-interoperable compression systems. Otherwise, the current proliferation of such diverse compression systems will open the door for interference cases that are not easily traceable, just the environment that prompted implementation of the current ATIS system.

WHEREFORE, Keystone Communications Corporation supports expeditious adoption of the Commission's NPRM as discussed herein.

Respectfully submitted,

A handwritten signature in black ink that reads "James T. Roche". The signature is written in a cursive, flowing style.

James T. Roche  
Regulatory Counsel  
Keystone Communications Corporation  
Suite 880  
400 N. Capitol Street, NW  
Washington, DC 20001  
(202) 737-4440

October 5, 1995

Before the  
Federal Communications Commission  
Washington, D.C. 20554

**PUBLIC NOTICE**

**Released: May 1, 1991**

Report No. I-6569

**AUTOMATIC TRANSMITTER  
IDENTIFICATION SYSTEM**

In the First Report and Order of Docket 86-337, *An Automatic Transmitter Identification System for Radio Transmitting Equipment*, the Commission indicated that all satellite uplink transmissions carrying broadband video information shall be identified through the use of an automatic transmitter identification system. This equipment is to be installed and operational on May 1, 1991.

We have received inquiries concerning whether this proceeding applied to international earth stations. In the Further Notice of Proposed Rule Making released July 9, 1987, the Commission stated that "the international issue will be appropriately raised, but is, of course, beyond the scope of this proceeding." Therefore, the rules created by this Docket, Sections 25.206 and 25.308, do not apply to earth stations operating via international or foreign satellites. Earth stations which have transborder authority and are operating via U.S. domestic satellites must comply with the rules.

For further information on the matter contact John Hudak (202) 632-6977 or Michael Pollak (202) 632-7834.

By the Chiefs, Field Operations and Common Carrier Bureaus

FEDERAL COMMUNICATIONS COMMISSION